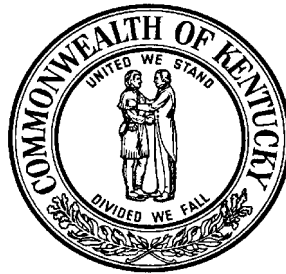


**REPORT OF THE AUDIT OF THE
OWEN COUNTY
SHERIFF**

**For The Year Ended
December 31, 2001**



**EDWARD B. HATCHETT, JR.
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EDWARD B. HATCHETT, JR.
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky

Honorable Paul E. Patton, Governor

Gordon C. Duke, Secretary

Finance and Administration Cabinet

Dana Mayton, Secretary, Revenue Cabinet

Honorable Billy P. O'Banion, Owen County Judge/Executive

Honorable Zemer Hammond, Owen County Sheriff

Members of the Owen County Fiscal Court

The enclosed report prepared by Stephens & Lawson, PSC, Certified Public Accountants, presents the statement of receipts, disbursements, and excess fees of the Sheriff of Owen County, Kentucky, for the year ended December 31, 2001.

We engaged Stephens & Lawson, PSC, to perform the financial audit of this statement. We worked closely with the firm during our report review process; Stephens & Lawson, PSC, evaluated the Owen County Sheriff's internal controls and compliance with applicable laws and regulations.

Respectfully submitted,

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Enclosure



**REPORT OF THE AUDITOR OF PUBLIC ACCOUNTS
AUDIT EXAMINATION OF THE
OWEN COUNTY SHERIFF**

Calendar Year 2001

EXECUTIVE SUMMARY
OWEN COUNTY
ZEMER HAMMOND, SHERIFF
CALENDAR YEAR 2001
FEE AUDIT

The Owen County Sheriff's 2001 fee audit was contracted to Stephens & Lawson, PSC through a request for proposal (RFP). We have issued an unqualified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

Financial Condition:

Excess fees decreased by \$4,582 from the prior calendar year, resulting in excess fees of \$24,289 as of December 31, 2001. Revenue increased by \$1,247 from the prior year and disbursements increased by \$5,829.

Report Comment:

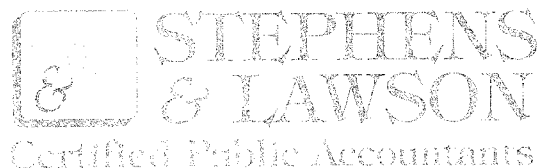
- The Sheriff Should Require Depository Institutions To Pledge Or Provide Sufficient Collateral To Protect Deposits.

Deposits:

The Sheriff's deposits were uninsured in the amount of \$104,080 on November 15, 2001.

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To the People of Kentucky

Honorable Paul E. Patton, Governor
Gordon C. Duke, Secretary
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Honorable Zemer Hammond, Owen County Sheriff
Members of the Owen County Fiscal Court

Independent Auditors' Report

We have audited the accompanying statement of receipts, disbursements, and excess fees of the Sheriff of Owen County, Kentucky, for the year ended December 31, 2001. This financial statement is the responsibility of the Sheriff. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As describe in Note 1, the County Sheriff's office prepares the financial statement on a prescribed basis of accounting that demonstrates compliance with the modified cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the receipts, disbursements, and excess fees of the Sheriff for the year ended December 31, 2001, in conformity with the modified cash basis of accounting.

In accordance with Government Auditing Standards, we have also issued our report dated August 28, 2002, on our consideration of the County Sheriff's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

To the People of Kentucky

Honorable Paul E. Patton, Governor
Gordon C. Duke, Secretary
Finance and Administration Cabinet
Dana Mayton, Secretary, Revenue Cabinet
Honorable Billy P. O'Banion, County Judge/Executive
Honorable Zemer Hammond, Owen County Sheriff
Members of the Owen County Fiscal Court

Based on the results of our audit, we have presented the accompanying comment and recommendation, included herein, which discusses the following area of noncompliance:

- The Sheriff Should Require Depository Institutions To Pledge Or Provide Sufficient Collateral To Protect Deposits.

Respectfully submitted,

Stephens & Lawson, P.S.C.

Audit fieldwork completed -
August 28, 2002

OWEN COUNTY
ZEMER HAMMOND, SHERIFF
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES

Calendar Year 2001

Receipts

Federal Grants		\$	1,158
State Grants			388
KLEFPF			6,878
State Fees For Services:			
Finance and Administration Cabinet			2,272
Circuit Court Clerk -			
Sheriff Security Services	\$	5,372	
Fines and Fees Collected		<u>4,312</u>	9,684
Fiscal Court			3,871
County Clerk - Delinquent Taxes			4,794
Commission on Taxes Collected			105,026
Fees Collected For Services -			
Accident and Police Reports	\$	181	
Auto Inspections		4,185	
Serving Papers		<u>7,825</u>	12,191
Other -			
Carrying Concealed Deadly Weapon Permits	\$	4,125	
Miscellaneous		1,869	
Sheriff Add-on Fee		<u>19,202</u>	25,196
Interest Earned			1,922
Borrowed Money:			
State Advancement			<u>49,063</u>
Total Receipts		\$	222,443

The accompanying notes are an integral part of the financial statement.

OWEN COUNTY
ZEMER HAMMOND, SHERIFF
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES
Calendar Year 2001
(CONTINUED)

Disbursements

Operating Disbursements -		
Personnel Services -		
Deputies' Gross Salaries	\$ 30,805	
Other Salaries	20,891	
Overtime Salaries	1,158	
KLEFPF	<u>6,882</u>	\$ 59,736
Employee Benefits -		
Training Fringe Benefit		2,189
Contracted Services -		
Advertising	\$ 361	
Computer Maintenance	461	
Radio Repair	259	
Vehicle Maintenance and Repairs	<u>3,285</u>	4,366
Supplies and Materials -		
Office Materials and Supplies	\$ 2,737	
Uniforms	<u>2,674</u>	5,411
Auto Expense -		
Gasoline		6,696
Other Charges -		
Bank Service Charges	\$ 110	
Camp	224	
Carrying Concealed Deadly Weapons	2,810	
Conventions and Travel	1,524	
Dues	556	
Law Enforcement Supplies	1,820	
Miscellaneous	109	
Postage	3,624	
Transporting Prisoners	<u>70</u>	10,847
Debt Service -		
State Advancement		<u>49,063</u>
Total Disbursements		<u>138,308</u>
Net Receipts	\$ 84,135	
Less: Statutory Maximum	<u>59,846</u>	
Excess Fees Due County for Calendar Year 2001	\$ 24,289	
Payment to County Treasurer - February 12, 2002	<u>24,289</u>	
Balance Due at Completion of Audit	<u>\$ -</u>	

OWEN COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 2001

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of receipts over disbursements to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

The financial statement has been prepared on a modified cash basis of accounting which is a comprehensive basis of accounting other than generally accepted accounting principles. Under this basis of accounting, certain receipts and certain expenditures are recognized as a result of accrual at December 31, 2001.

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

NOTE 2 - EMPLOYEE RETIREMENT SYSTEM

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a multiple-employer public retirement system that covers all eligible full-time employees. Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 7.17 percent for the first six months of the year and the 6.41 for the last six months of the year.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is present in the Kentucky Retirement Systems' annual financial report which is a matter of public record.

OWEN COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2001
(CONTINUED)

NOTE 3 - DEPOSITS

The Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. The Sheriff entered into a written agreement with the depository institution and met requirements (a), (b), and (c) stated above. However, as of November 15, 2001, the collateral and FDIC insurance together did not equal or exceed the amount on deposit, leaving \$104,080 of public funds uninsured and unsecured.

The county official's deposits are categorized below to give an indication of the level of risk assumed by the county official as of November 15, 2001.

	Bank Balance
Collateralized with securities held by the county official's agent in the county official's name	\$ 170,098
Collateralized with securities held by pledging depository institution in the county official's name	3,605,457
Uncollateralized and Uninsured	<u>104,080</u>
Total	<u><u>\$ 1,879,635</u></u>

NOTE 4- SPECIAL ACCOUNT

The Sheriff's office maintains a special bank account that is used to account for drug seizures and subsequent disbursements. The balance of this account at December 31, 2001 is \$79.

COMMENT AND RECOMMENDATION

**OWEN COUNTY
ZEMER HAMMOND, COUNTY SHERIFF
COMMENT AND RECOMMENDATION**

Calendar Year 2001

STATE LAWS AND REGULATIONS:

The Sheriff Should Require Depository Institutions To Pledge Or Provide Sufficient Collateral To Protect Deposits

On November 15, 2001, \$104,080 of the Sheriff's deposits of public funds in depository institutions were uninsured and unsecured. According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with Federal Deposit Insurance Corporation insurance, equals or exceeds the amount of public funds on deposit at all times. We recommend that the Sheriff require the depository institution to pledge or provide collateral in an amount sufficient to secure deposits of public funds at all times.

County Sheriff's Response:

We will discuss this matter with the bank to ensure that the pledge is sufficient to cover deposits in the future.

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**REPORT ON COMPLIANCE AND ON INTERNAL
CONTROL OVER FINANCIAL REPORTING BASED ON AN
AUDIT OF THE FINANCIAL STATEMENT PERFORMED IN
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**



To the People of Kentucky

Honorable Paul E. Patton, Governor
Gordon C. Duke, Secretary
Finance and Administration Cabinet
Dana Mayton, Secretary, Revenue Cabinet
Honorable Billy P. O'Banion, County Judge/Executive
Honorable Zemer Hammond, Owen County Sheriff
Members of the Owen County Fiscal Court

**Report on Compliance and on Internal Control Over Financial Reporting Based on an
Audit of the Financial Statement Performed in Accordance With Government Auditing Standards**

We have audited the Owen County Sheriff as of December 31, 2001, and issued our report thereon dated August 28, 2002. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Owen County Sheriff's financial statement as of December 31, 2001, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance that is required to be reported under Government Auditing Standards.

- The Sheriff Should Require Depository Institutions To Pledge Or Provide Sufficient Collateral To Protect Deposits.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Owen County Sheriff's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Report on Compliance and on Internal Control
Over Financial Reporting Based on an Audit of the Financial
Statement Performed in Accordance With Government Auditing Standards
(Continued)

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified party.

Respectfully Submitted,

Stephens & Lawson, P.S.C.

Audit fieldwork completed -
August 28, 2002

